IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 3671 of 2007

TULSI NIKETAN SAMITI & ORS.
V/S
A.D.J. ,NO.2, UDAIPUR & ORS.

Mr. MAHESH THANVI, for the appellant / petitioner

Mr. USMAN GANI, Mr.TRIBHUVAN GUPTA, for the respondent

Date of Order : 27.7.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

As appears from the record of the learned trial Court that an application has been filed under Order 1 Rule 8 CPC, which is going on for consideration. In that view of the matter, I do not find any ground to interfere with the impugned order granting permission to the plaintiff to file the suit under Section 91. However, it is clarified that it will be open to the petitioners to raise objection against the grant of the permission before the trial Court, and if such objection is raised, trial Court will decide that objection in accordance with law.

The writ petition is, accordingly, dismissed. Record of the trial Court be returned forthwith.

(N P GUPTA),J.

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